

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Ted L Olney v Darrin M Fogg**
Docket No. **301633**
L.C. No. **08-000722-NI**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because the December 1, 2010 order granting appellee's motion for a new trial is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). At this time, appellants may seek to appeal that order only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 3 2011

Date

Sandra Schultz Mengel
Chief Clerk